

NEBRASKA BOARD OF PHARMACY  
**MEETING MINUTES**  
**July 25, 2016**

**ROLL CALL**

Patricia Gollner, R.P., Chair, called the meeting of the Board of Pharmacy to order at 9:01 a.m. in the Lighthouse Room of the Country Inn & Suites, located at 5353 North 27<sup>th</sup> Street, Lincoln, Nebraska. The agenda was provided to Board members, posted on a public bulletin board in the Nebraska State Office Building, posted on the Department's website, and e-mailed to the "interested parties" list prior to the meeting. The following Board members answered roll call:

Patricia Gollner, R.P., Chair  
Kenneth Saunders, R.P., Vice-Chair  
Robert Marshall, R.P., Secretary

A quorum was present and the meeting convened.

Also present were: Mike Rueb, R.P., Pharmacy Inspector; Dean Willson, Jr., R.P., Pharmacy Inspector; Jennifer King, RP, Pharmacy Inspector; Kathie Lueke, Program Manager; Vonda Apking, Health Licensing Coordinator; Mindy Lester, Assistant Attorney General; Jeff Newman, Investigator; Kathleen Kruger, Investigator; Sherri Lovelace, Investigator; and Carla Cue, Investigator.

Gollner announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

**REVIEW OF AGENDA**

Adoption of Agenda

Marshall moved, seconded by Saunders, to approve the agenda as presented with the Chair having the authority to rearrange agenda items as needed. Voting aye: Gollner, Marshall, and Saunders. Voting nay: none. Motion carried.

Additions, Modification, Reordering

The Board requested that the following applications be removed from the consent agenda:

Kelly Zacalleri, RP – Pharmacist reinstatement application  
Heather Steinke – Pharmacy Technician application  
Paul Anderson – Pharmacy Technician application

Adoption of Consent Agenda

Marshall moved, seconded by Saunders, to approve the consent agenda as amended. Voting aye: Gollner, Marshall, and Saunders. Voting nay: none. Motion carried.

**INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, CONTROLLED SUBSTANCES AUDIT REPORTS & APPLICATION REVIEW – CLOSED SESSION**

Marshall moved, seconded by Saunders, to close the session at 9:05 a.m. to review investigational reports, disciplinary reports, controlled substances audit reports and applications. Voting aye: Gollner, Marshall, and Saunders. Voting nay: none. Motion carried.

Marshall recused himself from the meeting at 9:30 a.m.  
Marshall rejoined the meeting at 10:10 a.m.

Hampton joined the meeting at 10:10 a.m.

Hampton left the meeting at 10:59 a.m.  
Hampton returned to the meeting at 11:05 a.m.

Marshall moved, seconded by Saunders, to open the session at 11:21 a.m. Voting aye: Gollner, Marshall, and Saunders. Voting nay: none. Motion carried.

## **APPROVAL OF MINUTES**

May 23, 2016

Page 1: No changes.

Page 2: Marshall did not vote "Nay" on the Pharmacist Intern reinstatement after discipline application and the Pharmacist reinstatement after discipline application for Richard Upton.

Page 3: Marshall did not vote "Nay" on the Pharmacist reinstatement after discipline application of Patrick Galuski. Under REGULATIONS UPDATE, line 4, change the word "were" to "where"; under Hospital Pharmacy Quality Assurance Report, line 1, add Department of Health and Human Services (DHHS) before the word "Facilities"; and under LB 471 – Change provisions relating to prescription drug monitoring provisions and create the Veterinary Prescription Monitoring Program Task Force, line 3, change the word "implanting" to "implementing the legislation".

Page 4: Under Draft Criteria for State or national Pharmacy Technician Certification, line 1, delete the word "start", line 5, change the word "beginning" to "begin" and add the words "for pharmacy technicians" after the word "education"; delete the word "NUCLEAR" from the next title; and under NABP Annual Meeting Report – May 14-17, 2016 in San Diego, CA, line 2 delete the word "having".

Page 5: Under 2016 District V Meeting Planning, add the words "that the" after the word "explained" and under UPDATE ON BOARD MEMBER APPOINTMENT BY THE BOARD OF HEALTH, line 2, change the word "consumer" to the word "public".

Marshall moved, seconded by Saunders, to approve the May 23, 2016 minutes as corrected. Voting aye: Gollner, Marshall, and Saunders. Voting nay: None. Motion carried.

## **BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION**

Pharmacist Application(s) (6) - CONSENT

Pharmacist Reinstatement Application(s) – (1)

Marshall moved, seconded by Saunders, to recommend reinstating Kelly Zaccarelli's pharmacist license on probation. The probationary terms and conditions shall mimic the probationary terms and conditions required by the Kentucky and Louisiana Boards of Pharmacy. The basis for the probationary license is because of Ms. Zaccarelli's disciplinary actions taken by the Kentucky and Louisiana Boards of Pharmacy. Voting aye: Gollner, Marshall, and Saunders. Voting nay: None. Motion carried.

Pharmacy Technician Application(s) – (3)

Marshall moved, seconded by Saunders, to recommend issuing a pharmacy technician registration to Heather Steinke. Voting aye: Gollner, Marshall, and Saunders. Voting nay: None. Motion carried.

Saunders moved, seconded by Marshall, to recommend issuing a pharmacy technician registration to Paul Anderson. Voting aye: Gollner, Marshall, and Saunders. Voting nay: None. Motion carried.

Pharmacist Application(s) (6) – Continued

Marshall moved, seconded by Saunders, to recommend issuing a pharmacist license to Curtis Waldvogel. Voting aye: Gollner, Marshall, and Saunders. Voting nay: None. Motion carried.

Dispensing Practitioner Reinstatement Application(s) – (1) - CONSENT

Mail Service Pharmacy Application(s) (1) - CONSENT

E-Mail Ballots Since the Last Meeting

Since the last Board meeting, the Board voted to issue a pharmacist license to John Jeffrey Anderson.

Request to Waive the 90 Day Waiting Period After Failing the North American Pharmacist Licensure Examination (NAPLEX)

Saunders moved, seconded by Marshall, to grant permission to waive the 90 day waiting period after failing the NAPLEX to Shayla Bigley, PharmD. Voting aye: Gollner, Marshall, and Saunders. Voting nay: None. Motion carried.

**REVIEW OF PHARMACEUTICAL CARE AGREEMENT(S) (1) – CONSENT**

**PRESENTATION BY CUBEX (AUTOMATED DISPENSING)**

Joel Tjeerdsma, Regional Sales Director for Cubex presented information regarding his company's business of providing automated dispensing units to pharmacies. Their goal is to deliver safety and control with automation. They focus on first dose and emergency kit management. Mr. Tjeerdsma provided the Board with description of their process while comparing it to use of a tackle box type emergency drug box. He shared that their system uses a micro-chip to identify what drug is in a particular drawer and only specified individuals have access to that drawer. In addition, he stated their product enhances the security of the drug. The Board requested additional information on the company's policies and procedures and thanked Mr. Tjeerdsma for his presentation.

**UPDATE ON DRAFT REGULATIONS**

Lueke explained the Department Legal and the Chief Executive Officer had concluded their review of both Chapters of draft regulations in late May. The draft regulations were then forwarded to the Governor's Policy Research Office (GPRO) for their review. The next step in the approval process is setting the public hearing date.

**FDA COMPOUNDING ISSUES**

Proposals to Implement Statutory Restrictions on Compounding Drugs that are Essentially Copies of Commercially Available or Approved Drugs

Board members may make comments on their own.

FDA Draft Guidance for 503A

No action needed at this time.

FDA Draft Guidance for 503B

No actions needed at this time.

**NATIONAL ASSOCIATION OF BOARDS OF PHARMACY (NABP) ISSUES**

2016 District V Meeting Finalization

Marshall commented that everything is on track and he will send Board member assignments to each of them.

NABP Interactive Executive Officer Forum – October 4-5, 2016 – Chicago, IL

Lueke is planning on attending.

NABP Interactive Member Forum – November 30-December 1, 2016 – Chicago, IL

Saunders is interested in attending. Staff will provide the name and contact information to NABP and request the travel authorization.

**UPDATE ON BOARD MEMBER APPOINTMENTS BY THE BOARD OF HEALTH**

Apking explained that the Board of Health still needs to review and appoint individuals from the applications they received.

### **ADJOURNMENT**

Saunders moved, seconded by Marshall, to adjourn the meeting at 1:11 p.m. Voting aye: Gollner, Marshall, and Saunders. Voting nay: None. Motion carried.

Respectfully submitted,

(signature on file with the Department)

Kenneth Saunders, Vice-Chair  
Board of Pharmacy